

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PATRICK IMBARRATO, *et al.*

Plaintiffs,

-against-

**ORDER**

18 Civ. 5422 (NSR)(JCM)

BANTA MANAGEMENT SERVICES, INC., *et al.*,

Defendants.  
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The parties shall meet and confer prior to the Telephone Conference scheduled for September 21, 2022 at 10:00 a.m. to develop a proposed discovery plan. Upon agreement, the parties shall fill out the attached Civil Case Discovery Plan and Scheduling Order, and e-mail the completed form to [McCarthy\\_NYSDChambers@nysd.uscourts.gov](mailto:McCarthy_NYSDChambers@nysd.uscourts.gov) at least five days prior to the scheduled conference. In the absence of an agreement, the Court will implement its own discovery plan after hearing from counsel.

Dated: May 10, 2022  
White Plains, New York

**SO ORDERED:**

  
\_\_\_\_\_  
JUDITH C. McCARTHY  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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\_\_\_\_\_  
Plaintiff(s),

**CIVIL CASE DISCOVERY PLAN  
AND SCHEDULING ORDER**

-against-

Case No. \_\_\_\_\_

\_\_\_\_\_  
Defendant(s).  
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The following Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. The case (is / is not) to be tried to a jury.
2. Joinder of additional parties must be accomplished by \_\_\_\_\_.
3. Amended pleadings may be filed until \_\_\_\_\_.
4. Interrogatories are to be served by all counsel no later than \_\_\_\_\_, and responses to such interrogatories shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 (shall / shall not) apply to this case.
5. First request for production of documents shall be completed by \_\_\_\_\_.
6. Non-expert depositions shall be completed by \_\_\_\_\_.
  - a. Unless counsel agree otherwise or the Court "So Orders," depositions shall not be held until all parties have responded to any first requests for production of documents.
  - b. Depositions shall proceed concurrently.
  - c. Whenever possible, unless counsel agree otherwise or the Court "So Orders," non-party depositions shall follow party depositions.
7. Any further interrogatories, including expert interrogatories, shall be served no later than \_\_\_\_\_.
8. Requests to admit, if any, shall be served no later than \_\_\_\_\_.
9. Expert reports shall be served no later than \_\_\_\_\_.
10. Rebuttal expert reports shall be served no later than \_\_\_\_\_.

11. Expert depositions shall be completed by \_\_\_\_\_.
12. **ALL DISCOVERY SHALL BE COMPLETED BY** \_\_\_\_\_.
13. Additional provisions agreed upon by counsel (are /are not) attached hereto and made a part hereof.
14. Any motions shall be filed in accordance with the Court's Individual Practices.
15. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court.
16. The next case management conference is scheduled for \_\_\_\_\_.

Dated: \_\_\_\_\_  
White Plains, New York

**SO ORDERED:**

\_\_\_\_\_  
JUDITH C. McCARTHY  
United States Magistrate Judge